

*MILITARY*  
**ORDERS**

And Articles Established by

*HIS MAJESTY,*

For the better Ordering and Government  
of His MAJESTIES Army.

**A L S O**

Two Proclamations, one against Plundring  
and Robbing. The other against Selling or  
*Buying of Armes and Horſe.*



Printed by His MAJESTIES Command

**A T O X F O R D**

By *Leonard Lichfield*, Printer to the  
*Univerſity.* 1643.



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# MILITARY ORDERS, AND ARTICLES ESTABLISHED

by His MAJESTY for the better  
Ordering and Governing of  
*His Army.*



WE being compell'd, to our great  
griefe, to raise an Army for our neces-  
sary defence, & for the suppressing of  
certain of Our disloyall, and Rebelli-  
ous Subjects, who casting away all  
feare of God from before their eyes,  
have levyed Warre against us their  
naturall Leige Lord, to the endangering of Our Per-  
son, our Crowne, and Dignity, and by open hostility  
have robbed, and spoyled many of Our Loyall and Lo-  
ving Subjects, in sundry places of this Our Realme of  
England, of their Goods, and Estates, and have impris-  
oned their bodies, and have taken away diverse of their  
lives, in a Barbarous, and inhumane way.

And we being well assured, that an Army raised must  
be governed by military discipline, else it will soon runne  
into many disorders, and grow into confusion.

We have revised Our Military Orders, and Articles established by Vs, for the better Ordering, and Government of Our Army, which We caused to be published and printed at *Torke*.

And We have also seen, and advisedly considered of other orders made, and established for other Armies in forraigne parts, well, and succesfully governed.

And out of all these, and Our own observations, and by the advice of Our Lord Lieutenant-Generall of Our Armies, throughout this Our Realme of England, and the advice of Our Councill of Warre residing with Vs at Our City of *Oxford*, We are resolved upon, and doe now establish these Lawes, Orders, and Articles following, for the better ordering, and governing of Our Armies in the severall parts of this Our Realme, untill, by the blessing of God, they shall be disbanded.

**F**IRST, The straitly charg and command, that no Souldier, of what quality soever, doe presume to Blaspheme the holy Trinitie, or the persons of God the Father, God the Sonne, or God the holy Ghost, nor advisedly speak against any the knowne Articles of the Christian Faith, upon paine to have his tongue boared through with a red hot Iron.

2. That no Souldier use, or utter any unlawfull Oath, or execration, and if it be proved against him by his owne confession, or by the testimony of two witnesses upon their Oathes lawfully administred, every such balne, or prophane Swearer, or Curser, shall for the first offence forfeite 12<sup>d</sup> to be deducted out of his next pay, and for the second offence shall forfeit 12<sup>d</sup>, and be laid in Irons for 12. houres, and for every like offence shall suffer and pay in like manner.

3. That every Souldier who shall abuse, or prophane any the places of Gods Worship, or any the Utensiles, or Ornamente belonging, or dedicated to Gods worship, in any Church or Chappell,



Chappell, or shall offer any violence to any Chaplaine of, or in the Army, or any other Minister of Gods word, shall suffer, and pay for every such offence in such manner as is mentioned in the next precedent Article.

4. If any Souldier, not having any iust cause to the contrary, shall wilfully, or negligently absent himselfe from Divine Service, or Sermon upon Sundays, or other dayes appointed for that purpose, and in such places, as shall be appointed for the Regiment wherein he serveth, or shall not carry and behave himselfe decently, and reverently in the time of Divine Service, and Sermon, shall suffer, and pay for every such offence in such manner as is mentioned in the next precedent Article.

5. And that the service of Almighty God be not neglected, it is ordained, That there be a Chaplain appointed for every Regiment, who shall read Prayers orderly, and duly once every day whilst they are in Leaguer, and shall Preach, or expound some place of Scripture, or Catechism: once at least on every Sunday, and Holiday, in some such convenient place as the Colonell of the Regiment shall appoint, and by the sound of a Trumpet, or Drumme notice shall be given of the time, in such manner, as the whole Regiment may take notice thereof.

6. If the Chaplaine of the Regiment neglect his due and diligent attendance, at the times appointed to performe his service, he shall for the first offence forfeite halfe a weeks pay, and for the second offence a whole weeks pay, and so as often as he shall offend.

7. Besides, that there shall be for every Regiment a Chaplaine, there shall be two Chaplaines who shall be attendant upon the Generall or chiefe Commander of that Army; whose duty and charge shall be to be attendant on his Person at all sitting times and places, and to take care that the Chaplaines of the particular Regiments carry themselves well and orderly, and performe their duties.

8. That these two Chaplaines of the Army, calling unto their assistance two other of the Chaplaines of the Regiments, shall either in the presence of the Lievtenant-Generall or chiefe Commander of that Army, if he so please, or otherwise in his

absence, shall be Judges of all offences, and misdemeanors committed by any Chaplain of the Army, or against the immediate service of God, in any of these Articles, before or afterwards set down to be observed.

9. That the two principall Chaplaines of Our Army shall be nominated and made choise of by Us, or otherwise by Our Generall, or Lieutenant-Generall of that Army, and the Chaplaines of every Regiment shall be nominated and made choise of by Us, or otherwise by the Colonell of that Regiment.

10. That during the time of Divine service, Publike Prayers, and Sermon, or Catechising, all sellers of Ale, Beere, Bread, Victuals, or other commodities, or merchandize, shall forbear to put or set any such thing to sale, upon pain to be imprisoned in Irons 24. houres, and to forfeit the value of that so set to sale, to the use of the poore.

11. And it is ordered that whatsoever pecuniary mulct or forfeiture, by any the precedent or subsequent Articles are appointed to be forfeited to the poore, or otherwise, and more particular use assigned for it; shall be paid into the hands of a Treasurer to be nominated for that Regiment, which Treasurer shall keep a true account in writing of what he receiveth, and shall keep it in stock and after bestow it, by the advice of the Chaplaine of the Regiment, for the maintenance and releefe of the sick, or maimed souldiers of that Regiment.

12. After the service of Almighty God, all Souldiers serving Us in any of Our Armies, shall indeavour faithfully to serve Us, to the best of their skill, power, and understanding; and to that purpose every one of them of what quality or condition soever, shall for himselfe take the Oath of fidelity afterwards, in the end of these Articles prescribed.

13. No Souldier of what quality or degree soever, shall use any traitterous words against the sacred Person of the KING'S MAJESTY, or of His Royall Authority upon paine of death.

14. If the King himselfe be in His owne Person present in the Field, no Souldier shall carry himselfe in word or deed unreverently or disrespectively towards him, upon paine to be punished according to the nature and quality of the offence.

15. In the presence or absence of the King, what souldier soever shall carry himselfe disrespectively towards the Lievtenant-Generall, or other chiefe Commander of that Army, shall be punished according to the quality and nature of the offence, by the Judgement of the Councell of Warre for that Army.

16. And to that purpose it is ordained that in every Armie, there shall be a grand Councell of Warre, consisting of 13 persons at least, whereof the Lievtenant-Generall, or in his absence the next principall Commander under him, shall be the President; and the rest of the principall Officers of the Army, and the Colonells, Lievtenant-Colonells, and Sergeant-Majors shall make up the Body of the Councell.

17. That there shall be also a subordinate Councell of Warre in every Regiment, of which Councell, the Colonell, or in his absence the next Commander of that Regiment shall be the President; which Councell shall order and determine all smaller matters and offences hapning in that Regiment.

18. We will also, That in every Regiment the Councell of Warre for that Regiment may hold a Court of Warre upon all necessary occasions, but shall not proceed to sentence of death, or mutilation of Member, or banishing the Army, but only in the Generall and great Court of Warre, to be held for that Army.

19. Whosoever souldier shall presume to violate His Majesties safeguard and safe Conduct, knowing the same, shall suffer death for it.

20. Whosoever souldier shall use any words tending to the hurt or dishonour of the Lord Lievtenant-Generall, or other principall Commander, in his absence, shall suffer death.

21. No souldier shall presume to quarrell with his superiour Officer upon paine of Cathering, and such other punishment as the Councell of Warre shall thinke fit, not extending to life or member: nor shall strike or lift up his hand to strike any such superiour Officer in any part of the Army, upon paine of death.

22. No souldier shall resist and draw or lift, or offer to draw or lift any weapon against his superiour Officer correcting him for his offence, upon paine of death.

23. If the Lievtenant-Generall, or other great Officers of the

the Army, offer any personall injury to any inferiour Officer, such as with their honour they cannot put up, although they may not resist or revenge themselves, yet they may complaine to the great Councell of Warre of the Army, where the offender shall answer for it, and be censured by the Councell, according to the quality and importance of the fact.

24. And what is here ordered touching Officers, shall be done for private Souldiers, if they be injured by the superiour Officers, they shall be in like manner righted by the Councell of Warre in the particular Regiments.

25. If any inferiour Officer refuse to obey the command of his superiour Officer, or any souldier to obey the command of his superiour, he shall answer for it before the Councell of Warre, and be punished according to the importance and quality of the fact.

26. If any Colonell, Lievttenant-Colonell, Sergeant Major, or Quarter-master, or other Officer either of Horse and Foot, command any thing for any particular ends, or which is not just or right, upon complaint it shall be rectified, if proof be made thereof.

27. If any inferiour Officer either of Horse or Foot do challenge any common souldier to be guilty of any dishonest action, or any act unworthy of a souldier, the souldier finding himselfe guiltlesse and grieved, may lawfully call the said Officer to make proof thereof before the Councell of Warre, and shall have reparations for the wrong, according to the Judgement of the Court.

28. If any affray shall happen within the compasse of the League, or the place of Garrison, in any of the souldiers lodging, or the place where they meet together, it shall be inquired of by the Officers of that Regiment, and the beginning of the affray, and pursuit thereof shall be punished, according to the quality of the offence.

29. He, who in the presence of the Lievttenant-Generall, shall draw his sword, with a purpose to doe any mischief therewith, shall loose his hand for it.

30. He who in anger shall draw his sword, whilest his Colours are flying, either in Battell, or upon the March, shall be shot to death.

31. If it be done in any strength or fortified place, he shall loose his hand and be turned out of the Quarter.

32. What Souldier, who shall presume to draw his sword upon the place, where any Court of Justice is holden, whilst the Court sitteth, shall loose his life for it.

33. He that draws his sword in any strength or sort to do mischief therewith, after the watch is set, shall loose his life for it.

34. No Souldier shall depart from his Captaine, without license, though he serve still in the Army, upon paine of death.

35. Every private man and souldier, upon paine of imprisonment, shall keep silence when the Army is to take lodging, or when it is Marching, or imbatteling, that so the Officers may be heard, and their commands executed, upon such paines as the Councell of Warre shall thinke fit, according to the circumstances of the fact.

36. No Souldiers shall make any unlawfull assembly, or be present or assisting thereunto, or in or by them demand their pay, upon paine of death.

37. No Souldier shall resist any Officer in the execution of his office, upon paine of death.

38. No Souldier being committed for any offence, shall break Prison, upon paine of death.

39. No Souldier shall utter any words tending to sedition, uppeare, or mutiny, upon paine of death.

40. If any heare any mutinous words spoken, that souldier who, with as much convenient speed as he can, doth not reveale it, to the Commanders, shall be punished with death.

41. No Souldier shall hinder the Provost-Marshal-Generall, his Lieutenant or servants, when they are to execute any thing for the Kings service, who doth the contrary, shall loose his life for it.

42. Leave is given unto the Provost-Marshal-Generall, to apprehend all who offend against these Orders and Articles of Warre; or any other offenders, by his owne Authority without other commandement: but in such case he is to have no fees from the person, unlessse upon hearing of the cause the Court allow it.

43. The Provost-Marshal, shall haue such fees upon the commitment of any person as the grand Councell of Warre shall allow and set downe.

44. The Provost-Marshal-Generall, when he committeth any by his owne Authority, may either put him in Irons, or in Prison, but he shall neither put them to death or to torture, but by Order of the Court of Warre.

45. There shall be also a Provost-Marshal of every Regiment, and every such Provost-Marshal shall haue the same Priviledge in his owne Regiment and Company, as the Provost-Marshal-Generall hath in the Army or Leaguer, and such fees also as the Councell of Warre shall allow.

46. Whatsoever is to be published or generally made known, shall be done by the sound of Drumme or Trumpet, that no man may pretend ignorance; and they, who after that shall be found disobedient or faulty, shall be punished according to the quality of the fact.

47. No common Souldier shall think himselfe too good, or refuse to worke upon any peece of Fortification, or other place where they shall be Commanded for Our service; nor shall any Officer refuse or neglect to oversee those Souldiers which shall be so set over worke, and see that they performe their duties, upon paine of being punished at the discretion of their Commanders.

48. Whatsoever Souldier shall doe His Majesties Worke sleightly or negligently, shall be punished according as the fact shall deserve by imprisonment, or riding the wooden Horse or otherwise.

49. And if any Colonell or Captaine shall command his Souldiers under him to doe any unlawfull thing, such Colonell or Captaine shall be punished for it according to the quality of the offence, by the Judgement of the Councell of Warre.

50. If any Colonell, Captaine, or other Officer shall by rigour or force take any thing from any common Souldier, he shall answer for it, and make amends by the Judgement of the Court of Warre.

51. What Souldier soever shall receive an iniury, and shall take his owne satisfaction for it, and not appeale to the Court or his Commander for it, he shall be punished for it, by the Judgement of



of the Court Partiall, and if he doe appeal for reparation, he who is iniured, shall receive an ample amends.

52. If an Officer be drunk, he shall be punished with the losse of his place, because his fault is exemplary, and may be dangerous, and if a common Souldier be drunk, he shall be punished as the Court Partiall shall thinke fit.

53. No Souldier shall use reproachfull or provoking speech, or acts to another, upon paine of imprisonment, and of such further punishment as the Court Partiall shall thinke fit.

54. If any Souldier dye, no other shall take or spoyle the goods or mony of him that dyeth, or is killed in service, upon paine to restore double the value to him to whom they shall belong, and of such further punishment as the Court shall thinke fit, but the Captaine of that Company shall put the same into safe custodie: and if any Captain or Superiour Officer dye, the chief Commander shall take care for his Estate in like manner.

55. No man shall go any other way to the Leaguer, then that way which is the common way laid out for all, upon paine of such punishment as the Court shall thinke fit.

56. No man shall presume to make any Alarme in the Quarter, or to shoot of his Musket in the night time after the watch is set, but at an Enemy, or such a one as he suspected to be an Enemy, upon paine of death.

57. That Souldier who when warning is given for setting the watch, by sound of Drumme, Trumpet, or Fife, shall wilfully absent himselfe, without a lawfull excuse, shall be punished with the wooden Hoyle, and such other punishment as shall be held fit by the Commander.

58. He that is taken sleeping in the watch, either in any strength, trench, or the like, shall dye for it.

59. He that comes off the watch, when he is commanded to keep his guard, or is drunk upon the watch or place of Sentinell, shall dye for it.

60. He that at the sound of the Drumme or Trumpet, repaires not to his Colours, shall be clapt in Irons for it.

61. All Souldiers comming to their Colours, to watch, or to be exercised, shall come fully armed, upon paine of severe punishment.



62. None shall presume to appeare with their Armes unsirt, or undecently kept, upon paine to be punished at the discretion of his Commander.

63. When any March is to be made, every man that is sworn shall follow his Colours, and whosoever without leave presumes to stay behind, shall be punished at the discretion of the Court; but if any doe so, upon any mutinye, he shall dye for it.

64. Whosoever runnes from his Colours, be he native or stranger, and doth not defend them to his power, as long as they be in danger, shall dye for it, and he that kills him in the meane time shall be free.

65. If any Trooper or Dragoon shall loose his Horse or hackney, or any Footman his Armes, or any part thereof by negligence or lewdnesse, as Dice or Cards, or other gaming; he shall remaine in the quality of a Pioneer or scavenger, till he be furnished with as good as were lost, at his owne charge, and if he be not otherwise able, the one halfe of his pay shall be deducted, and set a part for the doing of it, till it be repaired.

66. No souldier shall pawne or sell his Armes, or any part thereof, or any hatchets, spades, shovells, pickaxes, or other necessary implements used in the Army, upon paine of severe punishment at the discretion of the Court: And no Townesman or Countryman, or other souldier, shall presume to buy or take to pawne any such Armes or implements, upon paine to forfeit double the value, and to be further punished for it, at the discretion of the Court.

67. If a Trooper shall willingly spoyle his Horse, or make him unserviceable, he shall loose his Horse, and remaine in the Camp for a Pioneer.

68. If any borrow Armes of another, to passe the muster withall, the lender shall forfeit the Armes he so lent, and the borrower shall be severely punished.

69. None shall presume to spoyle, sell, or convey away any Ammunition delivered unto him, upon paine of death.

70. When the Souldiers or any of them March through the Country, none of them shall wast, spoyle, or extort any money, or goods from any of Our Subjects, but by the warrant of the chiefe Commander, nor any Commander shall giue such warrant, without

cut Our speciall direction under Our signe Banuall, or otherwise then as is so directed, except only for such meat and drink, as is necessary for them, by the direction of their Officers, upon paine of death.

71. No Souldier shall presume in his Marching or lodging, to cut downe any fruit-Trees, or to deface any walks of Trees, Parkes, Warrens, Fishponds, Houses or Gardens, or to spoyle any standing Coyne in the eare or in grasse, upon paine of severe punishment.

72. No Souldier shall depart aboue a mile out of the Army or Camp, without licence, upon paine of death.

73. No man shall draw a sword upon any private quarrell within the Camp or Garrison, upon paine of death.

74. He that makes knowne the watch-word, without order, or gibes any other word, but what is given by the Officer, shall dye for it.

75. No man shall doe violence to any who bring victuall to the Camp or Garrison, or shall take from him his horse or other goods, upon paine of death.

76. No man shall wilfully faile to come to the Rendezvous appointed by the Generall, upon paine of death.

77. No man that carries Armes or pretends to be a Souldier, shall remaine three daies in the Army, without being inrolled in some Company, upon paine of death.

78. No private Souldier having a Passe, shall outstay his Passe, without a certificate of the true occasion under the hand of a Magistrate, at the next Muster, upon paine of losing his pay during all the time of his absence.

79. Whosoever shall expresse his discontent with the Quarter given him in Camp or Garrison, shall be punished as a Mutiner.

80. No Officer of what quality soever, shall goe or lye out all night from the Camp or Garrison, without making his superiour Officer acquainted thereof, and having his consent, upon paine of being punished for such offence, as the Court shall thinke fit.

81. Such Officers, whose charge it is, shall see the Quarters kept sweet and clean, upon paine of severe punishment.

82. No Souldier shall faile immediatly upon Alarme given to repaire to his Colours, except upon evident necessity, upon pain of death: and when he comes, shall come fully armed.

83. No man shall burne any House or Barne, or burne or spoyle any stack of Cozne, Hay, or Straw, or any Shippe, boat, or carriage, or any thing which may serve for the provision of the Army, without the order of the Commander in chiefe upon pain of death.

84. All Commanders and Officers, who discover any discontented humors apt to mutiny, or any wilfully swerving from the directions given or Policy of the Army, shall speedily acquaint the Superiour Officers therewith, upon payn of being reputed remisse and negligent in the place, and shall be censured for it accordingly.

85. An Officer who shall defraud any Souldier of his pay or any part thereof, shall lose his place, and be farther punished for it, as the Commander in chief shall think fit in his discretion.

86. No Corporall or other Officer commanding the Watch or Guard, shall wittingly suffer a Souldier to goe forth to a duell or private Fight upon pain of death.

87. If any shall make or send a challenge to his fellow Souldier, or provoke him to goe into the field to fight a Duell or single combat; the party challenged or so provoked, may without stain of Honour refuse it and complaine of it, and in duty is bound so to doe, and the party challenging or provoking shall be punished for it, by the Generall or chief Commander, or Council of Warre as they shall see cause.

88. If any send a challenge or provoke a Captain to fight a Duell, he shall dye for it.

89. If any upbraid a Souldier for refusing a challenge or demanding reparation for it; if he be an Officer he shall loose his place what ever it be, if he be a Common-souldier he shall ride the Wooden Horse, and be farther punished at the discretion of the Court.

90. If two goe into the field to fight a Duell, and there draw their swords or other Weapons, and fight, though no death

death follow, if they be Officers, they shall loose their Offices for ever, unlesse upon submission they be restored to that capacity, in open Court, by the consent of the Major part of the Council, if they be Common-souldiers, they shall be punished with the Wooden horse or otherwise at the discretion of the Court.

91. In all cases of Duells, the seconds shall be taken as Principalls, and be punished accordingly.

92. All Officers of what condition soever, shall have power to part quarrells or frayes or suddain disorders between Souldiers, though of another Company or Regiment, and commit the disordered Persons to the prison, untill their proper Officers be acquainted therewith, and every such souldier who shall resist such Officer though of another Company or Regiment or draw his sword shall be punished with death.

93. A Captain who is carelesse in training his company, or in exercising and governing them, as he ought, shall be displaced as a man unworthy of that Office.

94. A Captain or other Officer who goes from his company without a Passe, or outstays the tyme of his Passe, shall be punished at the discretion of the Commander in chiefe.

95. A Captain or Officer, not residing at his Quarter assigned without speciall licence from the Generall or Governour of the place; and so continue for a week shall loose a months pay: and if he continue away longer shall be discharged of his command or Place, as a man unfit to bear Office in the Army.

96. Whatsoever Regiment shall first charge the Enemy, and retire before they come to dint of sword with them, shall answer for it before the Court Marshall: and if it be occasioned by an Officer, he shall be publicquely discharged for it, and turned out of the Leaguer, but if the Officers & souldiers be faulty alike, the Officers shall be punished as before, and of the Common-souldiers the tenth man shall be hanged, and the rest shall be punished at the discretion of the Court.

97. No Captain shall cashier any souldier who is inroled, without speciall warrant of the Lord Generall of that Army.

98. No Captain of a Troop or Company, shall in this Quarter present any but a reall Trooper or souldier, and such as by oath

each and pay are bound to follow the Troop, upon pain of death, and whatsoever other person shall present himselfe or his Horse in the Muster, to mislead the Muster-master, to defraud the King, and to betray the service shall suffer death forth.

99. No Captain shall receive into his Troop or Company, any Inhabitant of the place, where the Troop or company is in garrison upon pain of severe punishment, unlessse it be, by the privily and consent of the Generall, or Governour of the place.

100. No Muster-master shall wittingly let any passe the Musters, but such as are really of the Troop or company, upon pain of death: and the Muster-master shall use his best industry not to be deceived, upon pain to be reputed negligent and false to the Kings service.

101. All Captains shall doe their best to have their Troops and companies to be compleat and full; and within two daies after every generall Muster; both the Captain and the Muster-master shall send to the Lord Generall a perfect List or Roll, of all the Officers, Troopers and Souldiers, of their Troopes and companies, that are in actuall service.

102. They shall also send the like List or Roll to the Lord Generall and Treasurer of the Army, upon every pay-day during the service, with a punctuall expession at the bottom of the Roll, what new Troopers, Souldiers, and Officers have been entertained since the last pay-day, in lieu of such as have been cashiered or deceased, with the day when the old died or were cashiered, and the new entertained.

103. Every such List or Roll shall be subscribed by the Captain and his Lieutenant, and Cornet or Ensigne, and also by the Serieants and Corporalls, who shall declare the truth thereof upon their Oathes, and whatsoever shall be convicted of falshood herein shall be punished with death.

104. No Muster-master shall receive or accept of any Roll to make the Muster by, but such as shall be so testified, upon pain of the losse of his place, and farther punishment at discretion.

105. No man shall presume to present himselfe to the Muster, or to be inrolled in the Muster-rolles by a counterfett-

terrest 02 by long name 02 surname, 02 place of Birth 02 baptisation upon pain of death.

106. No Provider, Keeper, 02 Officer of his Majesty's Artillery, 02 Ammunition shall misbehave, 02 willingly speake any part thereof, 02 give a false account thereof to him who is to take his account, upon pain of death.

107. No Commissary 02 Proviant-master, shall bring and furnish into the Camp any unwholesome 02 unsavoury victuall of any kind, whereby sickness may grow in the Army, 02 the service be hindered, and if upon examination before the Court. he shall be found guilty, he shall dye for it.

108. No souldier shall be a Victualler in the Army, without the consent of the Lord Generall, 02 other principall Commander, upon pain of being punished at discretion.

109. No Victualler 02 seller of Ale, Beer, 02 Wine, shall entertain any souldier in his house, Tent, Booth, 02 Hut, after the Warning-peece, 02 beat of Drumme at night, 02 before the beating of the Rehalles in the morning, upon pain of punishment, both to the souldier and entertainer, at the discretion of the Court.

110. All controversies between souldiers and their Captains 02 other Officers, 02 between souldier and souldier 02 other, shall be summarily heard and determined at the next Council 02 Court of Warre, if the weight of the cause shall not require farther deliberation, 02 the Court shall otherwise order for speciall reason.

111. No Provost-Marshal shall refuse to keep a Prisoner committed to him by authority, 02 dismis him without authority upon pain of such punishment as the Councell of Warre shall thinke fit to inflict upon him: and if the offence deserved death for which the Prisoner was committed, the Provost-Marshal shall be subject to the same punishment.

112. But if the Provost-Marshal have a prisoner committed to his charge, and no information come against him within 24. houres, he shall acquaint the Generall 02 other chief Commander therewith, and without speciall command to the contrary shall dismis him.



113. If an information be brought in against the Prisoner, and he be not brought to his tryall within three daies, the Probost-Marshall shall acquaint the Generall or other chief Commander therewith, and if he receiue no command to the contrary he shall dismisse him.

114. If the person be committed by the Probost-Marshalls own authority, without other command, he shall acquaint the Generall or other chief Commander therewith, and with the cause of his restraint within 24. houres, and without he receiue command to the contrary shall dismisse him.

115. A Sentinell or Perdue found asleep or drunk, or forsaken his place before he be relieved or drawn off, or who upon discovery shall not give warning to his Quarters according to direction shall dye for it.

116. If any employed for a guide upon the way, or for a spy upon the Enemy, be found false in the charge wherewith he is trusted, he shall dye for it.

117. If any employed as a scout, shall not discover so farre as he is commanded, or having discovered any approach, or ambushment of the Enemy, shall not speedily returne and give warning to his Quarters, shall be punished at discretion of the Court Marshall, but if it be proved that he hath entred into a house, and there or else where hath lyen sleeping or drinking, or doing whilst he should have been upon the service, he shall dye for it.

118. All Captains Officers and Souldiers shall doe their endeavour to detect apprehend and bring to punishment all offenders, and shall assist the Officers of the Army for that purpose, as they will answer their neglect at the Court Marshall.

119. Every man shall be bound to assist the Probost-Marshall in the execution of his Office for the apprehending of an offender if he be required thereto in His Maestties name, upon pain of imprisonment at the discretion of the Marshall Court, and if the Probost-Marshall make it known, that it is for a capitall crime, and the party escape for want of aid and assistance, the party or parties refusing to ayd or assist shall dye for it.

120. If any souldier shall refuse or forbear to goe upon any service commanded him by his Superiour for fear of danger or  
other



other pretence whatsoeuer, or shall in time of fight retire before the retreat sounded, or shall throw away his Armes or syle, he shall dye for the same.

121. Whatsoeuer Regiment, Troop, or Company, shall treat with the Enemy, or enter into any conditions with them, without His Majesties leave, or leave of the Generall, or chiefe Commander in his absence, shall dye for it, if he be an Officer, and if the souldiers consent thereto, every tenth man shall be hanged, and the rest punished at the discretion of the Court Martiall.

122. But if any Officer or common souldier can prove that they did their best to resist or avoyd it, and so was or were not partakers of the crime, such shall go free and be rewarded, according to the importance of the matter.

123. Whatsoeuer souldiers shall compell any Governour to give up any strength shall dye for it, and if upon examination, the Governour or Commander shall appeare to have been so compelled, they may be quitted by the Judgement of the Council.

124. If any number of souldiers shall without leave of their Captaines presume to assemble together, for the making of any convention or taking of any Counsell amongst themselves; if any inferiour Officers shall be of the Company, they shall suffer death for it: and the souldiers shall be punished at the discretion of the Court, and if any Captaine permit it, or when he knowes it, doth not complaine of it, shall be punished at the discretion of the Court.

125. Whosoever gives advice or intelligence unto the Enemy in any manner of way, by letters, message, sign, or token, shall dye for it; or whosoever holds discourse with the Enemy, in any place of strength, without the leave of the chiefe Commander of the places shall dye for it.

126. He that wilfully or negligently breaks any of his Arms or necessary tooles or implements used about the Army, shall pay for the mending of them, and shall also be further punished at the discretion of the Council.

127. He that hath been once proclaimed Traitor either at home

home or in the Field, or that hath been under the Hangmans hands, shall be never endured after to be of any Company.

128. He that forces any woman to abuse her, and she matter be proved before the Court of Warre, he shall dye for it.

129. No Whore shall be suffered to be in the Leaguer: but if any man will have his owne wife he may, so it be with the leave of the Generall or chief Commander, and not otherwise, least it be a burthen to the Leaguer or Garrison, and whosoever offends herein, he shall be punished at the discretion of the Councell.

130. He that beats or abuses his host, or his servant, where he is quartered or billeted, he shall be put in Irons for it, and if he doe it a second time, he shall be further punished, and the party wronged have amends at the discretion of the Councell.

131. If it please God We at any time beat the Enemy, either in the Field, or in the Leaguer, or Towne, every man shall follow the chase of the Enemy, and forbear to fall upon any Pillage, till the Enemy be assuredly beaten; and then the Souldiers may fall upon the Quarters assigned to them, and take what they find there, but they shall not fall to Plunder in the Quarter assigned to another, but rest contented with that which is assigned.

132. That Souldier who falls to Pillage in any other manner, if any misfortune happen thereby, for the greedines of the spoyle, he shall dye for it; and the pillage so gotten, shall be forsett to the Pooze, to be ordered as is afore directed.

133. No man shall presume to Pillage any Church or hospitall, although the strength be taken by assault, except leave be first given, upon necessary reasons for it.

134. No man shall purposely set fire upon any Church, Hospitall, Schoole, or Mill, or spoile them, without commands or leave, nor shall tyrannise over any Church-men, aged men, or women, or maids, or Children, unlesse they first take Armes against them, upon paine to be punished therefore at the discretion of the Councell.

135. If in any place the Enemy be overcome, whatsoever Ordinance, Ammunition for Warre, or Victuals be found there, shall be for Our owne use for the better reliefe of Our Army, the rest

rest shall be to the Souldiers, in such manner as aforesaid, only a tenth part of the spoile shall go to the sick and maymed Souldiers, to be ordered in such manner as is before directed for pecuniary mulcts.

136. If any Prisoners be taken, if they be persons of note and quality, they shall be presented to Us, and We shall reward the takers, but other Prisoners of meane rank, the takers may keep to themselves: but shall not put them to rancome without our leave or the leave of our Generall.

137. If any Souldier be taken drunk in the Enemies Leaguer, before he have wholly laid downe his Armes and yielded to Our mercy, if any kill such drunken Souldier, he shall be free; & if any hurt ensue thereby to Our service, such drunken Souldier shall suffer death for it; but if no damage ensue to Us thereby, he shall live in Irons, living upon bread and water for thres dayes.

138. No Souldier shall come into Our pay, untill he have taken his oath, and his name be entered into the list, or muster-Roll, in such manner as aforesaid.

139. No Souldier shall be discharged from the Army, but by leave of the Captaine, and chief Commanders, and by the notice of the Muster-master.

140. If any Souldier be sick, wounded, or maymed, he shall be sent out of the Leaguer to some fit place for his recovery, where he shall be provided for, and some Officer of that Regiment take care of him, and his wages or pay shall go on and be duly paid, till it shall appeare he can no longer be serviceable in our Army, and then he shall be sent by Passe to his Country, with money to bear his charge in his travaile.

141. If any Captaine lend money to any Souldier, which he desires to be paid againe, it shall be done with the privy of the Muster-masters, that Our service be not hindered or neglected thereby.

142. If upon necessity it fall out in Our Leaguer, that pay be not made at the times appointed, yet shall every man be content to further Our service in the mean time, having sufficient victuals for the present, and they shall receive their pay as soone as may be.

143. Those of Our Councell of Warre, who shall be Judges in Our Courts of Warre, either in the great Court for the whole Army, or in the lower Courts for every Regiment, shall take an Oath for the due administration of Justice according to their best skill and understanding.

144. In Our highest Court there shall be a Secretary appointed, who shall also be sworn to make diligent and faithful Records of all the proceedings, and there shall be also such other Officers to that Court as we shall appoint; and also in the lower Courts there shall be a like Clerk, and Officers appointed.

145. When any of the said Courts are sitting, the Judges of the Courts shall hold the same Ranks and places as they hold in Our Army, for order sake;

146. And shall carry themselves orderly and gravely in the hearing of causes, as becommeth the gravity of a Court;

147. And in giving of their sentence, every Judge shall deliver his Vote or opinion distinctly, unless they agree in opinion, and then the sentence to be according to the plurality of voices or votes: and the president to have a casting voice, if there be an equality of Votes.

148. Whil实现 any cause is in debate, there shall be a deliberate hearing, and the Persons or Party complained of, shall be heard with patience.

149. No man shall presume to use any braving or menacing words, signes, or gestures, whilst the Court of Justice is sitting, upon paine of death to the offender.

150. In matter of diet, trespassse, contract, or words, arising betweene a Souldier, and a not-Souldier: The Officer of the civill Magistrate shall not arrest the Souldier without leave of the chiefe Officer of the Company, but he shall first complaine to the Captain of such Souldier, who shall doe him right, or in his default the Court Partiall shall doe him right, both against the Souldier and against the Captain also, if he be delayed of Justice, or leave him who complaines to the Justice of the civill Magistrate; And if the Souldier have cause to complaine, he shall complaine to the civill Magistrate, who shall doe him Justice in time and place convenient for it.

151. For all matters which shall be brought in question in any of the said lower Courts, either of the Parties to those suits who finds himselfe grieved, may appeale to the great Court or Councell, but with this, that if the Party appealing faile in making good his suggestion, that the Court shall Judge of the recompence to be made for the delay, and for the trouble and charge of such appeale.

152. In all criminall causes which concerne Our selfe, Our Advocate-Generall shall follow for Us, and informe the Court on Our behalfe.

153. When sentence is to be given, the President shall pronounce the sentence: and after the sentence pronounced, the Provost-Marshal shall have warrant to cause execution to be done according to the sentence.

*These Orders and Articles His Majesty commandeth to be observed, and put into due execution by all whom it may concerne, as they will be answerable for the same at their perills.*

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## The Oath which every Souldier is to take.

**I** A. B. doe sweare to be true and faithfull to my Sovereigne Lord KING CHARLES, and to his Heires and lawfull Successors, and to be obedient in all things to His Lieutenant-Generall, for the time being, in this His MAJESTIES Warre, against such Rebell Subjects, as have already taken up, or hereafter shall take up Armes, and wage Warre against Him, or which shall any wayes abet, assist, or aide them. And I doe further sweare, that I will be a true and a faithfull servant and Souldier: every manner of way performing my best indeavour for His MAJESTIES Service, and the profit of this Kingdome. To my power also, shall I hinder all actions prejudiciall unto His Crown: and if I have tidings of any thing likely to be prejudiciall, I shall give His MAJESTY present notice thereof, or some one or other of His Councell. Moreover, I will doe my best indeavour to obserue all these His MAJESTIES Articles of Warres. Also, I shall behave my selfe manfully in Battle, skirmishes, and entries of breaches, as well by Water, as



by Land, in all times and places, when and where I shall be commanded. I shall also keep watch and ward, and doe all other duties willingly, unto the best profit of His MAJESTY and this Kingdome, wheresoever I shall be commanded either by Land or Water. Also I shall beare my selfe obediently towards my superiour Officers, in all that they Command me for His MAJESTIES Service. In like manner, as I shall answer it before God and every honest man, I shall not flye from my Colours or token whatsoever, that I am commanded to follow, so long as I am able to goe after them: and I shall be willing to doe this at all times, and by no meanes absent my selfe from them at any time. I shall lay downe my life and goods for the advancing of His MAJESTIES service, and endure all miseries that can possibly fall out in the Warres; fighting manfully to the very last, so farre forth as I am able, or that any true Souldier ought to doe. Furthermore, if hereafter I be put into any place of Charge by His MAJESTY, I shall doe my best endeavour fairely to discharge my duty therein, so as I ought to doe according to my place. This Oath shall I well and truly keepe to the best of my understanding and Power, as the Lord of Heaven and Earth shall helpe my Soule at the last Iudgement.